



CALIFORNIA DEPARTMENT OF HUMAN RESOURCES

Employee Assistance Program

State of California's Supervisor Handbook

A reference guide for State of California
Supervisors and Managers

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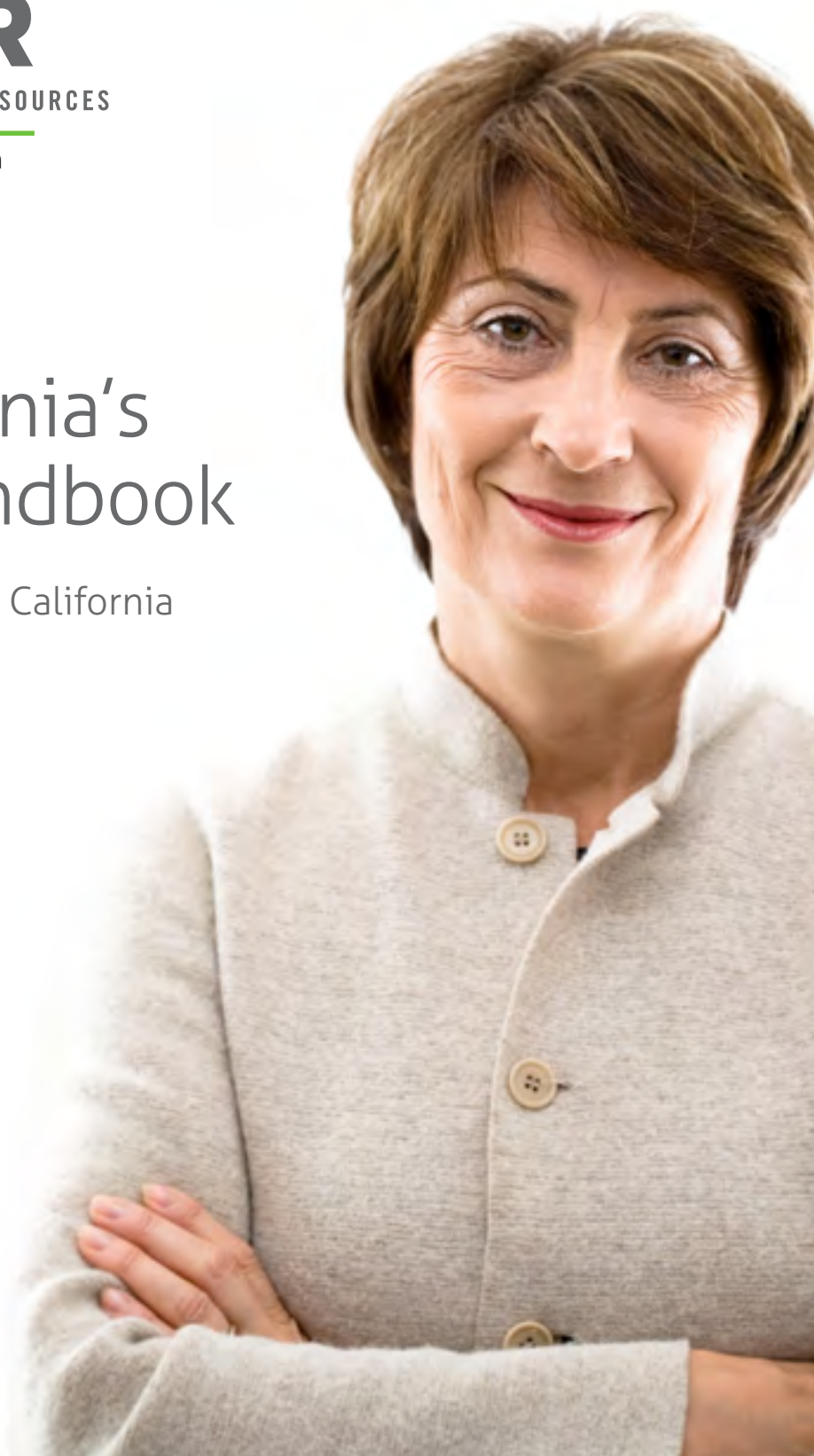


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SECTION 1:

Overview

The relationship between an employee and supervisor is one of the greatest indicators of employee satisfaction, productivity and long-term retention. As a supervisor, you know that personal problems can have a negative impact on attendance, health, and productivity of your employees.

The State of California's Employee Assistance Program (EAP) includes:

- Services that can help employees address their problems and improve their health and well-being.
- Supervisor support tools and resources that can help address performance and conduct challenges, support employees, and build successful, engaging teams.

Motivating employees, reviewing performance, ensuring productivity, and solving other work-related problems are just a few of the responsibilities supervisors have.

As a supervisor you have an opportunity and ability to recognize warning signs of a possible employee challenge and prepare documentation that accurately records any work-performance issue(s).

What the State of California's Employee Assistance Program Offers

The State of California's EAP offers help and assistance for a range of concerns, including: better time management, parenting resources, finding child or elder care, and problems impacting an employee's job or home life. EAP is also a consultative support and management intervention tool to help maintain optimum workplace performance through a healthy, productive staff.

EAP for state employees

EAP is a voluntary and confidential program that provides information, tools and resources for personal and workplace concerns. EAP is also a valuable resource for problem identification, counseling, and referral services for employees and their families. Counselors are experienced in providing support, understanding, and guidance for a broad range of needs, including:

- Family
- Health and wellness
- Depression and anxiety
- Work-life balance
- Relationship issues
- Alcohol or drug concerns
- Stress
- Grief and loss

EAP for managers and supervisors

As a supervisor, you want to have the most productive and effective work environment possible. Managing people can be a rewarding and overwhelming task. It is important to be aware of employees' personal reactions to events in the workplace and outside of the workplace, which can impact productivity and the work environment. Events outside the workplace, such as problems in a marriage, family issues or other challenges at home can become a distraction for your employees and may impact their overall performance. As a supervisor, it is important to listen but to avoid giving advice or your opinion when discussing situations and issues. Supervisors should avoid counseling employees, and should encourage their employees to utilize EAP which offers expert behavioral consultation to support employees and connects them with the resources they may need.

In addition, there may be events that could have an impact on a team, such as a fatal accident of an employee, a tragic situation, or an organizational restructure. EAP offers assistance in identifying and implementing the best approach to managing the effects on employees.

Through EAP, supervisors are offered access to Workplace Support consultants who can help with team concerns as well as individual performance problems. If you believe there is a problem in the workplace, here are some things you can do before you call for a consultation:

- Recognize trends. You might notice that one employee is consistently late for work. Over time, you become aware that several employees have the same problem. Your Workplace Support consultant can meet with you to help you sort through the reasons for those trends and help identify an action plan.
- Perform an environmental scan. Listen to what employees are saying—and what they aren't saying—about the team and about each other. Learn to recognize the signals of low employee morale or the need for team building. Your workplace support consultant can counsel you on ways to deal with many group dynamic issues.
- Recognize things beyond your control. Many events outside the workplace can have an impact on the workplace. Listen to your employees to find out what may be acting as a distraction. Your Workplace Support consultant can arrange for grief counseling, crisis intervention and other services as needed.

How Employees Access EAP

Suggested self-referral. If you feel that an employee would benefit from EAP or an employee requests help in dealing with a personal concern, you can suggest that he or she contact EAP. As a supervisor, you can be a resource to help educate employees about EAP and what services are available.

Formal supervisor referral. A formal referral can be made by a supervisor when an employee's work performance has shown a pattern of decline. A formal referral is a way to make an attempt to address the performance of an employee. The formal referral is voluntary for the employee but can be documented that an attempt was made by the supervisor to address the issue. EAP can help assist the employee to address personal problems that may be contributing to the decline in work performance.

The formal supervisor referral is a management tool used to improve work performance and resolve work-related problems. It is not intended as a disciplinary measure, nor does it replace the State of California's policies and procedures for dealing with poor performance or conduct.

Making a Referral

Your workplace support consultant is a resource that can help when approaching a referral. Consultants can offer suggestions and a plan on how to recommend EAP and what to expect from an employee's reaction. Workplace support consultants can:

- Provide guidance on how to communicate a performance problem to an employee.
- Explain how to offer assistance in the most productive and appropriate manner.
- Offer suggestions on how to approach a referral and identify important actions to document.
- Discuss options for dealing with an employee situation.

EAP is a voluntary and confidential program and an employee is not required to use EAP, however, EAP is a valuable resource that can help with many of the situations that employees struggle with. Supervisor referrals are not disciplinary measures and do not replace standard policies and procedures for dealing with poor work performance, drug testing, or federal regulations.

Call your program at 1-866-EAP-4SOC to set up a workplace support consultation.

SECTION 2:

Initiating a Management Referral

Supervisors can obtain a consultation from Magellan's Workplace Support team regarding various performance issues or policy violations.

The goal is to preserve the employee's ability to work productively. The objective is to support supervisors, employees and providers in the use of EAP to address work performance issues and help:

- Clearly identify the problem.
- Identify persons involved.
- Identify a plan of action to address the situation.
- Provide follow-up contact to ensure continued problem resolution.

The supervisor can recommend EAP to an employee who requests assistance or when the supervisor observes an employee who seems to be experiencing emotional difficulties in the workplace.

1. Document issues with job performance, conduct, attendance, and other concerns.
2. Contact EAP and ask to speak with a Workplace Support Consultant about the situation.
3. Prepare a formal supervisor referral letter explaining the process. A sample letter is provided in the appendix.
4. Meet with the employee in a private setting to discuss job performance, conduct, and other issues of concern. Outline expectations and make a formal referral to EAP. Participation in the formal supervisor referral is voluntary; the employee may either accept or decline the referral.
5. Note on the formal referral letter whether the employee accepted or declined the referral and ask the employee to sign the letter.
6. Continue documenting the employee's job performance and conduct. If no progress is made, follow appropriate disciplinary procedures.

Keeping Personal and Performance Issues Separate

The personal aspect of managing employees notwithstanding, your focus as a supervisor is on performance issues. Here are some suggestions for keeping yourself on the right track as you approach an employee to discuss work-related issues.

What to focus on:

- Make it clear that you are concerned only with job performance.
- Describe in work terms the necessity for change. Describe the effect that the employee's behavior or job performance is having on employee morale, safety, the reputation of the department, cost of lost productivity, and the impact on the work habits of others.
- Emphasize the confidentiality aspect of the program, and that an employee's career path will not be hindered through using EAP.

- Take time and ask the employee for feedback.
- Develop an action plan and make sure that the employee is clear about the specifics expected.
- Review performance concerns one at a time.

Warning Signs of a Potential Problem

Changes in work performance that occur over a period of time may indicate that a problem exists. Examples of changes may include:

Work Behavior

- | | | |
|---|---|---|
| <ul style="list-style-type: none"> • Sporadic work performance • Lower quality and quantity of work • Impaired judgment • Confusion (e.g., difficulty in recalling instructions or details) | <ul style="list-style-type: none"> • Difficulty concentrating • Difficulty working with others • Omitting necessary details • Procrastination • Difficulty in meeting deadlines or missing deadlines | <ul style="list-style-type: none"> • Chronic exhaustion and/or drowsiness • Lack of interest or participation • Excessive amount of personal time on the telephone |
|---|---|---|

Absenteeism

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> • Arriving late or leaving early • Excessive excused and/or unexcused absences • Frequent Monday/Friday absences or absences that follow a pattern | <ul style="list-style-type: none"> • Extended lunches and/or breaks • Frequent absences from assigned work areas • Frequent absences for minor illnesses | <ul style="list-style-type: none"> • Peculiar and improbable excuses for absences • Repeated requests for time off by telephone without advance notice |
|--|---|--|

Relationships with Others

- | | | |
|--|---|--|
| <ul style="list-style-type: none"> • Edgy, irritable • Over-sensitive, over-reactive • Suspicious • Intolerant | <ul style="list-style-type: none"> • Resentful • Moody • Withdrawn • Blaming others | <ul style="list-style-type: none"> • Increased nervousness • Avoidance of co-workers |
|--|---|--|

Other Changes

- | | | |
|--|--|---|
| <ul style="list-style-type: none"> • Accidents, both work-related and non-work-related • Deterioration in appearance • Loss of interest or decrease in activities | <ul style="list-style-type: none"> • Borrowing money from others • Inconsistent excuses of social activities • Decrease in overall energy | <ul style="list-style-type: none"> • Decrease of motivation and drive • Lack of care and responsibility |
|--|--|---|

Documentation

Early identification of performance problems is critical to resolve and address patterns of concerns. It is hard to know how to discuss the situation with the employee and what a supervisor can do to minimize the impact of the employee's performance decline on the rest of the department. In addition to being aware of the warning signs that may signal a potential problem, it's a good idea to keep a written record of performance concerns.

Documentation is necessary to help:

- Focus on observable, verifiable facts in an objective manner.
- Identify possible patterns of behavior.
- Work with your workplace support consultant to identify the key problem(s).
- Determine when to address concerns with the employee.
- Prepare for and conduct an effective, constructive confrontation meeting.
- Help the employee to recognize both the problem and its severity by presenting the work performance decline in a factual, nonjudgmental manner.
- Stay focused on job performance.

Documenting performance concerns is important. Listed below are suggested guidelines for how to document performance concerns.

- Be specific regarding the date, time and place of unsatisfactory job performance.
- Provide actual observations, not your opinions or conclusions.
- Include examples of satisfactory and excellent work, as well as what is below expectation.
- Keep records confidential and update them on a regular basis—daily, weekly, or monthly.
- Focus on performance (not on personal problems).
- Provide information that shows the employee's job performance over a period of time.

For more information on how to document performance issues, see Appendix A and B.

Call your program at 1-866-EAP-4SOC to set up a workplace support consultation.

Documentation Checklist

When preparing your documentation, it may be helpful to review the following checklist to ensure completeness and accuracy. Select those elements that apply.

- ☐ Did you record information promptly, while your memory was still fresh?
- ☐ Have you indicated the date, time and location of the incident(s) documented?
- ☐ Did you record the action taken or the behavior exhibited?
- ☐ Did you indicate the person(s) or work products involved?
- ☐ Have you listed the specific performance standards violated?
- ☐ Have you indicated specific rules or regulations violated?
- ☐ Did you record the consequences of the action or behavior on the employee's overall work performance and/or the effect on the operation of the work group?
- ☐ Have you been objective, recording observations and not impressions?
- ☐ Did you indicate the employee's reaction to your efforts to improve his or her performance?

SECTION 3:

The Constructive Confrontation

Constructive confrontation is a technique that allows you to objectively address performance issues. Constructive confrontation offers the opportunity to combine a discussion of performance with a genuine offer of assistance.

The initial confrontation provides constructive, candid feedback about work performance. This usually is presented in an objective, factual manner. Negative and emotional exchanges should be avoided. The order of the meeting is an important connector to the effectiveness of this technique. When the discussion ends there should be specific action items to be completed by both the employee and supervisor.

Preparation is key to a successful constructive confrontation. Preparing for a constructive confrontation should include the following:

- Be respectful of privacy. This type of discussion should occur in a private setting.
- Gather and organize your documentation so it is available during the discussion.
- Consult with your human resources department to ensure your meeting is consistent with the state's specific policies and procedures.
- Be aware of your own expectations. Define acceptable and unacceptable performance.
- Focus on behavior. Do not label or diagnose a personal problem either in your mind or at the meeting.

The Constructive Confrontation Process

A constructive confrontation includes four components. These steps, outlined on the following pages, illustrate how to conduct a successful constructive confrontation.





ACKNOWLEDGE

Reinforce the Employee's Value

Acknowledge the employee's past and present good performance. It is important to:

- Let the person know of his or her value to the organization.
- Give examples of past and present contributions (e.g., years of service, past performance, technical skills, previous level of dependability).
- Tell the employee that you appreciate these contributions.



CONFRONT

Address Work Performance and Expectations

The key to this part of the meeting is to remain calm and objective.

Identify expectations:

- Define specific expectations of the employee based on his or her job description.
- Convey concise, detailed information.

Specify performance concerns:

- Point out where performance has slipped compared to past work and behavior. Be honest and firm.
- Give specific, objective examples with dates, times and situations.
- Emphasize the seriousness of the situation.
- Focus on the job, not the individual. Avoid making judgments.
- Keep the discussion focused on work performance, regardless of the employee's response.

Schedule timelines for improvement and a follow-up meeting:

- You and the employee should jointly agree on an action plan based on the employee's input and your guidance.
- Establish a timeline for improvement, appropriate to the level of the problem.
- Determine and agree on desired results.
- Set a time, date and place for the next meeting.

Describe consequences:

The employee needs to know that his or her performance problem is a serious situation and what he or she can expect if work expectations are not met.

- Be specific.
- Be prepared to follow through if performance does not improve.
- Emphasize that the employee is responsible for resolving the present situation and avoiding future consequences.



SUPPORT

Recommend EAP

- Reiterate your confidence with the employee and reinforce that your goal is to help them become productive again.
- Remind the employee that you do not need to know of personal problems but you can encourage the use of EAP and explain how it may help.
- Provide information about EAP, emphasizing that it is a confidential resource available free of charge to address any personal problems the employee may be having.
- Refer the employee to EAP. Offer assistance in making the call if necessary.

Explain that the program is confidential and no personal or private information will be provided to anyone without the employee's written consent.

Note: You may wish to call your Workplace Support consultant to discuss confidentiality issues and Authorization to Disclose procedures.



FOLLOW UP

Ongoing Communication and Engagement

Following up after the constructive confrontation meeting is just as important as preparation before the meeting. Some good guidelines for follow-up are:

- Keep all aspects of the situation between you and the employee private.
- Don't "walk on eggshells." It is counterproductive to be overly sensitive or empathetic.
- Continue to monitor the employee's work performance and document improvement or decline.
- Make yourself available to the employee to provide guidance or discuss concerns the employee may have.
- Support and reinforce positive behavior changes.
- Follow through with normal disciplinary procedures, if necessary.

In addition, your EAP Workplace Support consultant is always available to answer any questions you may have about work expectations following a constructive confrontation, and to provide consultation on any additional concerns you may have about the situation.

Stay Focused on Performance

Even with thorough preparation, there is no way to predict how an employee will react to a constructive confrontation meeting. Many times, the employee will appreciate your support and welcome the opportunity to resolve problems and improve performance. In other cases, the employee may become defensive and emotional. Workplace Support services can help generate a plan and help with any assistance you may need with confronting an employee about work performance.

Call your program at 1-866-EAP-4SOC to set up a workplace support consultation.

Prevent Workplace Violence

Creating a safe workplace for employees is important for many reasons. Everyone has a responsibility to help support and maintain a safe work environment. A safe workplace can encourage happy and productive employees who feel comfortable and safe at work.

Warning Signs of Workplace Violence

Although there is no absolute predictor of who will become violent at work, there are some behaviors that have been associated with workplace violence, for example:

- Use of direct or veiled threats toward self or others.
- Use of email to make threats toward self or others.
- Intimidating, bullying or other types of aggressive behavior.
- Harassment.
- Ongoing conflicts with supervisors or co-workers.
- Bringing a weapon to the workplace.
- Extreme change in behavior.
- Explosive outbursts of anger or rage.

Violence tends to escalate through a specific pattern. It's important not to tolerate any form of violence in the workplace and to prevent it from advancing to the next level.

Domestic Violence

Intimate partner violence in the workplace may occur. Victims may be dealing with an untrustworthy partner who follows him or her to work and displays stalking behavior. Although it is not a supervisor's place to counsel employees about their personal relationships, providing a safe work environment is an employer's responsibility.

An alert and supportive supervisor can make a difference. By recognizing the signs, consulting with your Workplace Support consultant, and assisting the employee with getting the right help at the right time, you can help the employee and reduce any risk to the workplace.

How the Workplace Support Team Can Help

When a work environment is in danger, employees may feel vulnerable and uneasy. Violence prevention is key to avoiding a potentially damaging situation. Call EAP at 1-866-EAP-4SOC and ask to speak with your Workplace Support consultant about any signs of violence you may have noticed within your work environment. Consultants are experts in dealing with these types of situations and can offer suggestions and help create a plan to deal with any threat of violence in the workplace.

Workplace violence can also take the form of self-inflicted violence. If an employee mentions or suggests that he or she is thinking about self-harm or is talking about harming another employee, it's important to take this seriously. There are immediate resources available for someone who is feeling this way and seeking help through the Workplace Support program.

No question or situation is too small for Workplace Support consultants. If you are unsure about the situation simply call your program's toll-free number and seek a quick consultation. This program is available any time day or night.

Call your program at 1-866-EAP-4SOC to set up a workplace support consultation.

SECTION 5:

Critical Incident Stress Debriefing (CISD)

As a supervisor, you may be in a position where employees look to you for guidance and leadership following a traumatic incident.

What is a Critical Incident?

A critical incident in the workplace is a sudden, traumatic event that is overwhelming, emotionally charged and often dangerous. Examples of critical incidents include:

- Natural disasters
- Workplace violence
- Sudden, unexpected death of a co-worker
- Robberies
- Bomb threats
- Assaults or threats of assaults
- Death or injury on the job

How to Request CISD

CISD is a comprehensive approach to managing critical incident stress. Crisis response services are provided by professionals nationwide with a minimum of a Master's degree and training and/or experience in trauma, grief and crisis response.

Crisis response training includes International Critical Incident Stress Foundation (ICISF), Red Cross, and the Psychological First Aid model of critical incident response.

How the CISD process works:

- Call and request that a counselor respond in-person to a critical incident.
 - You will be transferred to a critical incident EAP consultant, who will ask for additional information to assess the situation.
 - Once the EAP consultant has the necessary information, Magellan will immediately begin searching for a counselor to conduct CISD sessions at the requested time and place. CISD services are usually conducted 24 – 48 hours after an incident has occurred.
 - As soon as a counselor is assigned, you will be contacted to make specific arrangements for the visit.
- **NOTE: Some State of California employee groups have their own internal CISD process. Please consult with your area designees prior to initiating a CISD request.*

Common Responses to a Traumatic Event

Following a traumatic incident, most people will experience some type of emotional response. Signs of obvious distress may include the following symptoms:

- **Physical**—sweating, dizzy spells, increased heart rate, elevated blood pressure, rapid breathing.
- **Behavioral**—appetite changes, decreased personal hygiene, withdrawal from others, prolonged silences, uncontrollable crying spells, or other changes in ordinary behavior patterns.
- **Emotional**—shock, anger, grief, depression, hopelessness, helplessness.
- **Cognitive**—confused thinking, difficulty making decisions, disorientation.

If employees display any of the above signs, reassure them that their reaction is normal. It is important that employees know there is help and assistance available. Supervisors should encourage employees to call EAP if they would like confidential assistance at any time.

Recovering from a traumatic incident can be a long and difficult process. Each person deals with emotions at his or her own pace. In the meantime, to help reduce the chances of long-term negative effects on the workplace, there are several practical coping suggestions you can offer to your employees. Advise them to:

- Expect to have an emotional reaction from the experience.
- Talk about your feelings to your family, friends and co-workers.
- Practice ways to lower stress and anxiety through deep breathing exercises.
- Avoid alcohol and caffeine.
- Maintain a healthy diet.
- Get plenty of rest and exercise.
- Take time for leisure activities.

Call your program at 1-866-EAP-4SOC to set up a workplace support consultation.

Leaves of Absence—Transitioning Employees Back to Work

Usually when an employee leaves work for an extended period of time, whether two weeks or two months, the leave is triggered by a life event or transition. There are different types of leave; some are employer-sponsored and others are mandated by law.

Reintegrating into the workforce following a prolonged absence is an important process and your Workplace Support consultant can assist in making the employee's transition back to work successful.

Returning to Work

Returning to work after an extended leave can be challenging for an employee. Being proactive can make the employee's return easier. Listed below are some practical tips Magellan offers to assist with a transition back to work.

- **Stay in touch**—as the employee is planning his or her leave, discuss ways he or she may stay in touch with the office. For example, regular email correspondence so he or she can be kept updated on what is happening at the workplace. This connection reinforces the link back to the workplace and can be very helpful in mitigating the anxiety a long absence from work creates.
- **Meet before the return**—when notified of an employee's plan to return to work, set up a meeting with the employee to discuss a return-to-work transition plan. In this meeting, you can clarify any concerns the employee may have and identify if there are barriers to returning to work that can be addressed in preparing for the return. Also, plan to schedule meetings with all appropriate co-workers/departments for a "catch-up" meeting. Request training assistance from human resources, if needed by the employee.
- **Discuss needs**—speak with the employee about any needs for work accommodations or modified duty. Make sure these issues are addressed well in advance of the employee's return.
- **Respect privacy**—speak with the employee regarding communication with co-workers. Discuss how much information the employee wants to share with co-workers to help with the transition. Be respectful of the employee's privacy needs.
- **Develop a plan**—encourage the development of a written return-to-work plan that includes commitments to the plan by all parties.
- **Suggest EAP services**—it is common that the employee will experience anxiety or worry when returning to work. As a supervisor, you can reinforce to the employee the importance of self-care and setting realistic expectations. Expect to allow some time for adjustment issues. Encourage the employee to consider using EAP for help and support when returning back to work.
- **Be honest and open**—keep communication open between you and the employee as this will help with the transition back to work and avoid any miscommunications from occurring.

Workplace Support Consultants

Consult with a workplace support consultant if you need guidance or assistance with developing a return-to-work plan or if you have any questions or concerns about the employee's return.

Call your program at 1-866-EAP-4SOC to set up a workplace support consultation.

SECTION 7:

Limitations

There are limitations to the services available through EAP. These limitations include:

The initial assessment sessions for employees who access EAP through the formal supervisor referral process do not count against a member's face-to-face sessions for the plan year. However, additional face-to-face sessions beyond the assessment do count toward that limit.

Formal supervisor referrals do not include:

- Fitness for duty consultations.
- Drug testing.
- Workers' compensation involvement.
- Medical diagnoses.
- Prescriptions for medications.
- Supervisor referral based on substance abuse if there is not a job performance issue attributed to it.

EAP services do not include:

- Inpatient or outpatient treatment.
- Prescription drugs.
- Treatment for autism spectrum disorder or intellectual developmental disorder.
- Services beyond the authorized number of EAP sessions.
- Services provided by non-Magellan contracted providers.
- Counseling services mandated by a court of law or paid for by workers' compensation.
- Formal psychological evaluations.
- Counseling related to workers' compensation.
- Formal excuses for leaves of absence or time off work.
- Clinical evaluations for recommendations for child custody or child abuse proceedings.

Call your program at 1-866-EAP-4SOC to set up a workplace support consultation.

SECTION 8:

Putting It All Together

As a supervisor, you can lead and encourage positive changes at work. By providing preventative health, wellness and engagement information and resources, you can maintain a productive and safe work environment for you and your employees.

You do not have to handle tough workplace issues on your own. Call for a confidential consultation anytime you need assistance.

- Know the State of California's EAP benefits and promote EAP to your employees.
- Document in writing what you see, hear and discuss—include the date and time.
- Use the constructive confrontation process to help you with a difficult situation.
- Know the warning signs that signal a potential workplace problem.
- Be prepared in case of a critical incident in the workplace.
- Contact your Workplace Support consultant for guidance or assistance anytime, 24 hours a day, seven days a week.

Call your program at 1-866-EAP-4SOC to set up a workplace support consultation.

APPENDIX A:

Documentation Example

Performance Job Record

Employee Name: John

Day	Date	Time	Change in Performance
Monday	4/04/yr.	9:30 A.M.	Absent. Said it was due to "recurring and very painful stomach problem."
Wednesday	4/06/yr.	9:30 A.M.	Tardy. 30 minutes.
Friday	4/08/yr.	9:30 A.M.	Absent. Said it was "recurring stomach problem."
Tuesday	4/12/yr.	9:45 A.M.	Tardy. 45 minutes.
Wednesday	4/13/yr.	9:15 A.M.	Absent. Had to go to court.
Monday	4/18/yr.	9:05 A.M.	Absent. Dentist appointment.
Thursday	4/21/yr.	9:30 A.M.	Tardy. 30 minutes.
Friday	4/22/yr.	9:40 A.M.	Tardy. 40 minutes.
Monday	4/25/yr.	11:00 A.M.	Missed deadline for important project to be completed at time of department meeting.
Tuesday	4/26/yr.	3:00 P.M.	Complaint from client about John's rude phone manner.
Friday	4/29/yr.	10:15 A.M.	Absent. Has the flu.
Monday	5/02/yr.	11:30 A.M.	Absent. Unexplained.

APPENDIX B:

Supervisor Referral Performance Worksheet

If work performance or the behavior of an employee has deteriorated and all the usual forms of dealing with the employee have failed to generate any improvement, it may be time to consider using Magellan's Workplace Support Services to find solutions. You can call any time—but the questions below may help you decide when. Print this sheet as needed.

Employee: _____ Date: _____

A. Have you observed repeated and continued patterns of performance deterioration in any of the following areas? Check the box for affirmative.

1. Quantity/Quality of Work?

- ☐ Gradual reduction over a period of time
- ☐ Inconsistent/sporadic
- ☐ Carelessness, increased mistakes

2. Job-related Work Knowledge

- ☐ Forgetful
- ☐ Reduced awareness of what's going on
- ☐ Unable to keep current

3. Judgment

- ☐ Inconsistent
- ☐ Frequent errors on routine matters

4. Initiative

- ☐ Unwillingness to change work responsibilities
- ☐ Needs constant supervision

5. Resource Utilization

- ☐ Overly dependent on others
- ☐ Unable to identify appropriate resources

6. Dependability

- ☐ Fails to meet schedules
- ☐ Makes unreliable/untrue statements

7. Attendance and Punctuality

- ☐ Frequent tardiness in the morning
- ☐ Frequent unplanned absences
- ☐ Frequent complaints of vague illness
- ☐ Frequently leaves early or returns late from lunch
- ☐ Frequent unexplained disappearances from job

8. Analytical Ability

- ☐ Details often neglected
- ☐ Increased number of poor conclusions/decisions

9. Ability to Communicate

- ☐ Argumentative
- ☐ Less communicative than in the past
- ☐ Unclear/imprecise written communications

10. Interpersonal Skills

- ☐ Deliberately avoids colleagues and supervisor
- ☐ Complainer
- ☐ Unusually sensitive to advice or criticism
- ☐ Overly critical of others

11. Safety Conscious

- ☐ Higher than average on the job accidents
- ☐ Takes needless risks
- ☐ Disregards safety of others

12. Other Behavior Problems

- ☐ Inappropriate personal appearance
- ☐ Loss of interest/enthusiasm for job
- ☐ Extreme mood swings
- ☐ Inappropriate behavior

Regarding the affirmative responses (Items 1 – 12)

- B. Have you documented the performance or behavior deficiencies in behaviorally specific terms? ☐ Yes ☐ No
- C. Have you communicated your concerns regarding the employee's work performance or behavior to the employee? ☐ Yes ☐ No
- D. Has his or her performance or behavior continued to deteriorate? ☐ Yes ☐ No
- E. Have these items been included in a formal performance review or in formal disciplinary actions? ☐ Yes ☐ No

If the total affirmative responses under section A are excessive in your judgment and the answers to section B, C, D and E are affirmative, contact Magellan's Workplace Support services.

APPENDIX C:



Authorization to Use or Disclose Protected Health Information (PHI) (Employer Referral Case -- California)

IMPORTANT: Can you read this in English? If not, we can have somebody help you read it. For free help, please call your program toll-free number.

IMPORTANTE: ¿Puede leer esta carta? Si no, alguien le puede ayudar a leerla. Además, es posible que reciba esta carta escrita en su propio idioma. Para obtener ayuda gratuita, llame ahora mismo al número gratuito del programa.

1. Whose Information is Being Disclosed?

(Client Name)	(Magellan Case No.)	/ / (Date of Birth - MM/DD/YYYY)	
(Address)	(City)	(State)	(Zip Code)

2. Who will be Disclosing and Receiving Information?

I hereby give permission to Magellan Health or any of its subsidiaries or affiliates ("Magellan")* and the Magellan staff performing services in connection with my treatment to: either **disclose information to** each of the following and/or **obtain information from** each of the following: *(check one or both boxes):*

☐

(Name and Job Title of Employer Contact) and successor or designee of Employer Contact

(Employer Name)

☐

(Name of Provider or other recipient)

Address – optional

City – optional

State – optional

Zip Code - optional

Phone Number – optional

Fax number - optional

3. What is the Purpose of the Disclosure?

- ☐ To verify whether I am participating in and cooperating with the EAP, as suggested by my employer. **(Formal Referral)**
- ☐ Other *(specify)*:

4. What Information Will Be Used or Disclosed?

Only the following information *(Client MUST INITIAL each item to be disclosed)*:

- | | | |
|---|--|--|
| <input type="checkbox"/> (___ Initial) Current status (compliant or non-compliant) | <input type="checkbox"/> (___ Initial) Substance Abuse Evaluation | <input type="checkbox"/> (___ Initial) Treatment Plan |
| <input type="checkbox"/> (___ Initial) Attendance Records Only | <input type="checkbox"/> (___ Initial) Progress Report on my Treatment | <input type="checkbox"/> (___ Initial) Treatment Recommendations |
| <input type="checkbox"/> (___ Initial) Expected Length of Treatment | <input type="checkbox"/> (___ Initial) Diagnosis/Assessment | <input type="checkbox"/> (___ Initial) Drug/Alcohol Test Results |
| <input type="checkbox"/> (___ Initial) - Other (specify information to be disclosed and any restrictions) _____ | | |

*Magellan Health Services of California, Inc.--Employer Services and Human Affairs International of California are subsidiaries of Magellan Health that operate in California.

NOTICE TO RECIPIENT OF INFORMATION

This information has been disclosed to you from records the confidentiality of which may be protected by federal and/or state law. If the records are protected under the federal regulations on the confidentiality of alcohol and drug abuse patient records (42 CFR Part 2), you are prohibited from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains, or as otherwise permitted by 42 CFR Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

**Authorization to Use or Disclose Protected Health Information (PHI)
(Employer Referral Case -- California)**

5. When does the Authorization Expire?

☐ This date -- 90 days from today [Washington state – all cases]:

☐ This date -- 25 months from today [**Mandatory** Referrals]:

☐ 6 months after my EAP case is closed [**Formal** Referrals]

☐ Other date or event:

6. Important Rights and Required Statements

- ❖ You can end this authorization at any time by writing to Magellan Health at 3131 Camino Del Rio North, San Diego, CA 92108. If you make a request to end this authorization, it will not apply to information that has already been used or disclosed based on your previous permission, or end Magellan's ability to confirm information already disclosed in a legal proceeding. For more information about this and other rights, please see the applicable Notice of Privacy Practices.
- ❖ The information disclosed based on this authorization may be re-disclosed by the recipient and may no longer be protected by federal or state privacy laws. Not all persons or entities have to follow these laws.
- ❖ You do not need to sign this form in order to obtain treatment, enrollment, eligibility or payment for services.
- ❖ This authorization is voluntary and you do not have to agree to authorize any use or disclosure.
- ❖ You have a right to a copy of this authorization once you have signed it. Please keep a copy for your records. Or, you may ask us for a copy at any time by writing to the same address as above.
- ❖ If you have questions about anything on this form, call to speak to a Workplace Support Consultant: 1.800.424.1565 ext. 70593.

7. Your Signature

PLEASE DO NOT SIGN THIS FORM UNTIL YOU INITIAL ALL CHECKED BOXES IN SECTION 4.

(Signature)

_____/_____/_____
(Date)

NOTICE TO RECIPIENT OF INFORMATION

This information has been disclosed to you from records the confidentiality of which may be protected by federal and/or state law. If the records are protected under the federal regulations on the confidentiality of alcohol and drug abuse patient records (42 CFR Part 2), you are prohibited from making any further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains, or as otherwise permitted by 42 CFR Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

APPENDIX D:

Sample Formal Supervisor Referral Letter

Please retype this letter on your departmental letterhead.

**Employee Assistance Program
Manager/Supervisor Referral Letter**

Date:

To (employee name):

Work location:

Classification:

From (manager/supervisor name):

Signature:

Phone number:

This letter serves as your formal letter to the Employee Assistance Program (EAP) for help in resolving the job performance and/or conduct problem(s) listed below:

Participation in this program is voluntary, and you may decline to use the service at any time. However, I will continue to monitor your performance. If your performance or conduct problem(s) described above does not improve, I may need to proceed with disciplinary action.

This formal referral to EAP is confidential, and limited information (as specified in the Authorization for Disclosure of Protected Health Information form) can be released only with your written consent. Magellan will notify me if you have accessed EAP or if you do not keep the initial appointment.

Please contact EAP management consultant (name)_____ at (phone)_____ within five business days. The management consultant will schedule your appointment with a provider.

If you plan to attend this appointment during work hours, please let me know. Should you decline to use this service or if you are unable to keep your appointment, please let me know immediately.

A copy of this referral letter will be placed in the supervisor's confidential file. It will not become a part of your official personnel file.

A copy will also be forwarded to Magellan Healthcare at 888-656-5394.

Accepted referral_____ Decline Referral_____

(Employee signature)

(date)

Notes

[illegible]

